Art Unit : 2614	**Customer No. 035811**
Examiner : Thjuan Knowlin Addy	
Serial No. : 10/046,124	
Filed : December 28, 2001	
Inventor : Paul Bourgine	Docket No.: 1394-01
Title : ADAPTATION OF THE CALL	
: SEQUENCE BY ANALYSIS OF THE	Confirmation No.: 4810
: HISTORY OF THE PRECEDING	
: COMMUNICATION SEQUENCES	
	Dated: February 20, 2008

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is submitted in response to the Official Action dated September 24, 2007.

Claims 1 and 3-16 are currently pending. No claims have been amended, added, or cancelled.

The Applicant notes with appreciation the withdrawal of the prior rejections based on the combination of Gross and Holt.

Claims 1, 3-11, and 13-16 now stand rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 6,931,116 to Gross et al. in view of newly cited US Patent No. 5,905,789 to Will. Claim 12 now stands rejected under 35 U.S.C. §103(a) as being unpatentable over Gross in view of Will and further in view of US Patent No. 6,169,791 to Pokress. The Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 1 is directed to transferring data to a destination station having multiple real addresses by searching for a real address of the destination station according to a time-related sequence until a positive response is obtained; establishing a communications channel; and transferring data by the

communications channel. Each time a success or failure in establishing a communications is achieved, time-related communications parameters are stored in memory. The stored time-related data is then processed by correlating at least one of the time-related communications parameters with successes/failures. The correlation is used to create a new order of the time related sequence for searching the real addresses.

Gross, to the contrary, is directed to providing access to multiple telecommunications services via a single telephone number whereby calls are routed according to a predetermined sequence, according to a predetermined schedule, or according to an identity of the caller. In contrast to Claim 1, however, Gross fails to disclose storing time-related communication parameters at each failed or successful attempt to establish a communications channel (to one of the real addresses), correlating at least one time-related parameter with the failed/successful attempt, and determining a new order of searching through the real addresses according to the correlation. Indeed, the Examiner acknowledges as much on page 3 of the outstanding Office Action. The Office Action turns to Will for the teaching of the features of Claim 1 that are not disclosed by Gross. The Applicant respectfully disagrees.

Will is directed to utilizing a model of a subscriber's behavior to forward a telephone call to the subscriber at the subscriber's most likely location. Will, in column 5, lines 6-34, discusses a call-forwarding system that determines when a received call is sent to a subscriber's personal telephone number. Upon this determination, the model of the subscriber's behavior is activated to predict the likelihood that the subscriber is at one or more locations stored in a database corresponding to the subscriber. The likelihood is related to the subscriber's behavior history, as well as to the time and day of the current telephone call. The call is connected to the telephone number at the location with

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the highest likelihood of being the subscriber's current location. If the subscriber is not located at the location with the highest likelihood, the telephone number at the location with the second highest likelihood is attempted. This process repeats until the subscriber is located or no other telephone numbers remain to be tried. Only when the call is completed, which occurs when the subscriber hangs up, is information recorded to train the model of the subscriber's behavior (column 5, lines 30-33). Unlike Claim 1, this calling process of Will fails to describe storing time-related parameters at each failed or successful attempt. In fact, Will only records information upon completion of a call. If a call is not completed, which is equivalent to a subscriber not participating in a call, information is not recorded to assist in the training of the model. Thus, in Will's process, no time-related communication parameters at a failure in establishing communication are stored.

In an embodiment directed to training a neural network, Will discloses that received (i.e. completed) calls may be stored in memory and a probability of reaching the subscriber at a telephone number calculated. The likelihood that a telephone number corresponds to a call stored in memory is accomplished by setting the likelihood to 0.9 if the call has just been received and dropping the probability as a function of the time since the last successful call (column 8, lines 1-9). Thus, again, Will does not disclose the storage of time-related communication parameters related to a failure and/or a success. Instead, Will discloses calculating a probability that a number is associated with a stored call.

As Will fails to teach time-related communication parameters related to a failure and/or a success stored, then accordingly Will does not accomplish a correlation of the parameters with failure and/or success, as is required by Claim 1. Moreover, an order of time-related sequences by Will is not based on a correlation of time-related communication parameters with failure and/or

success. Instead, unlike Claim 1, Will determines a sequence of stored telephone numbers according to information related to a subscriber's completed telephone calls.

Pokress is relied upon in the rejection of Claim 12, depending upon Claim 1, for teaching a selective choice of an outgoing telecommunications network according to a least cost routing process. However, Pokress does not cure the deficiencies of Gross and Will as described above.

Accordingly since Gross, Will, and Pokress fail to disclose each and every claim feature of Claim 1, the Applicant respectfully submits that Claim 1 is fully patentable over Gross, Will, and Pokress. Claims 3-16 recite similar features to those recited in Claim 1 and are therefore fully patentable over Gross, Will, and Pokress for similar reasons.

In view of the foregoing, the Applicant submits that the entire Application is now in condition for allowance, which action is earnestly solicited.

Respectfully submitted,

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